

# **EXHIBIT B**

**From:** AAA Amie Chale  
**To:** Tieman, Matthew W; Andy Schermerhorn  
**Cc:** Clayton, Lewis R; Carey, Jessica; Recher, Jeffrey J; Kaye, Joshua D; Borod, James H; Hershman, Sara E; Young, Spencer E; Luhring, Alexander L; 'scott.hecht@stinson.com'; 'chris.leopold@stinson.com'; Adams, Rob (SHB); Songer, Ann (SHB); Cargnel, Mike (SHB); Shearer, Rick (SHB); cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com); Van Thournout, Darin J. (SHB); Jason Zager (jzager@shb.com); 'Ken McClain'; 'bwhite@wagblaw.com'; 'ted@kapkewillerth.com'; 'Mike Fleming'; 'bcarr@wagblaw.com'; John Klamann; 'Jonathan M. Soper'; 'Chelsea McClain Pierce'; 'J'Nan Kimak; tarri@wagblaw.com; Muscat, Shawn; Bland, Kelly (SHB)  
**Subject:** RE: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal  
**Date:** Thursday, February 11, 2021 12:39:01 PM  
**Attachments:** imagec070b0.PNG

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Dear Counsel:

The AAA will be providing a list of appellate arbitrators shortly. The issue can be addressed with the arbitrator immediately upon appointment.

Thank you.



**AAA Amie Chale  
Manager of ADR Services**

American Arbitration Association

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**From:** Tieman, Matthew W <mtieman@paulweiss.com>  
**Sent:** Monday, February 1, 2021 12:40 PM  
**To:** Andy Schermerhorn <ajs@klamannlaw.com>; AAA Amie Chale <AmieChale@adr.org>  
**Cc:** Clayton, Lewis R <lclayton@paulweiss.com>; Carey, Jessica <jcarey@paulweiss.com>; Recher, Jeffrey J <recher@paulweiss.com>; Kaye, Joshua D <jkaye@paulweiss.com>; Borod, James H <jborod@paulweiss.com>; Hershman, Sara E <shershman@paulweiss.com>; Young, Spencer E <syoung@paulweiss.com>; Luhring, Alexander L <aluhring@paulweiss.com>; 'scott.hecht@stinson.com' <scott.hecht@stinson.com>; 'chris.leopold@stinson.com' <chris.leopold@stinson.com>; Adams, Rob (SHB) <RTADAMS@shb.com>; Songer, Ann (SHB) <ASONGER@shb.com>; Cargnel, Mike (SHB) <MCARGNEL@shb.com>; Shearer, Rick (SHB) <RSHEARER@shb.com>; cbidwell@shb.com; Jeffrey E. Elkins (jelkins@shb.com) <jelkins@shb.com>; Van Thournout, Darin J. (SHB) <dvanthournout@shb.com>; Jason Zager (jzager@shb.com) <jzager@shb.com>; 'Ken McClain' <kbm@hfmlegal.com>; 'bwhite@wagblaw.com' <bwhite@wagblaw.com>; 'ted@kapkewillerth.com' <ted@kapkewillerth.com>; 'Mike Fleming' <mike@kapkewillerth.com>; 'bcarr@wagblaw.com' <bcarr@wagblaw.com>; John Klamann <jklamann@klamannlaw.com>; 'Jonathan M. Soper' <jms@hfmlegal.com>; 'Chelsea McClain Pierce' <cmp@hfmlegal.com>; J'Nan Kimak <jck@hfmlegal.com>; tarri@wagblaw.com; Muscat, Shawn <smuscat@paulweiss.com>; Bland, Kelly (SHB) <KBLAND@shb.com>  
**Subject:** RE: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

**\*\*\* External E-Mail – Use Caution \*\*\***

Amie,

We are not going to engage in a lengthy back and forth with Mr. Schermerhorn. Suffice it to say he clearly is wrong about the date on which the award was issued. We have attached your email and attached letter issuing the award—each dated December 2, 2020. As we mentioned, the AAA case file also confirms that December 2, 2020 is the date of the award. DST did not receive any award in this matter on November 24, 2020, as Mr. Schermerhorn seems to wrongly suggest.

DST has noticed the appeal and will await the materials regarding the arbitrator selection. There of course is nothing in the Arbitration Agreement, and Mr. Schermerhorn does not point to anything, that provides the AAA with any discretion over whether to accept an appeal.

Regards,

**Matthew W. Tieman** | Associate

**Paul, Weiss, Rifkind, Wharton & Garrison LLP**

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**From:** Andy Schermerhorn <[ajs@klamannlaw.com](mailto:ajs@klamannlaw.com)>

**Sent:** Monday, February 1, 2021 3:07 PM

**To:** Tieman, Matthew W <[mtieman@paulweiss.com](mailto:mtieman@paulweiss.com)>; AAA Amie Chale <[AmieChale@adr.org](mailto:AmieChale@adr.org)>

**Cc:** Clayton, Lewis R <[lclayton@paulweiss.com](mailto:lclayton@paulweiss.com)>; Carey, Jessica <[jcarey@paulweiss.com](mailto:jcarey@paulweiss.com)>; Recher, Jeffrey J <[jrecher@paulweiss.com](mailto:jrecher@paulweiss.com)>; Kaye, Joshua D <[jkaye@paulweiss.com](mailto:jkaye@paulweiss.com)>; Borod, James H <[jborod@paulweiss.com](mailto:jborod@paulweiss.com)>; Hershman, Sara E <[sershman@paulweiss.com](mailto:sershman@paulweiss.com)>; Young, Spencer E <[syoung@paulweiss.com](mailto:syoung@paulweiss.com)>; Luhring, Alexander L <[aluhring@paulweiss.com](mailto:aluhring@paulweiss.com)>; 'scott.hecht@stinson.com' <[scott.hecht@stinson.com](mailto:scott.hecht@stinson.com)>; 'chris.leopold@stinson.com' <[chris.leopold@stinson.com](mailto:chris.leopold@stinson.com)>; Adams, Rob (SHB) <[RTADAMS@shb.com](mailto:RTADAMS@shb.com)>; Songer, Ann (SHB) <[ASONGER@shb.com](mailto:ASONGER@shb.com)>; Cargnel, Mike (SHB) <[MCARGNEL@shb.com](mailto:MCARGNEL@shb.com)>; Shearer, Rick (SHB) <[RSHEARER@shb.com](mailto:RSHEARER@shb.com)>; cbidwell@shb.com; Jeffrey E. Elkins ([jelkins@shb.com](mailto:jelkins@shb.com)) <[jelkins@shb.com](mailto:jelkins@shb.com)>; Van Thournout, Darin J. (SHB) <[dvanthournout@shb.com](mailto:dvanthournout@shb.com)>; Jason Zager ([jzager@shb.com](mailto:jzager@shb.com)) <[jzager@shb.com](mailto:jzager@shb.com)>; 'Ken McClain' <[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)>; 'bwhite@wagblaw.com' <[bwhite@wagblaw.com](mailto:bwhite@wagblaw.com)>; 'ted@kapkewillerth.com' <[ted@kapkewillerth.com](mailto:ted@kapkewillerth.com)>; 'Mike Fleming' <[mike@kapkewillerth.com](mailto:mike@kapkewillerth.com)>; 'bcarr@wagblaw.com' <[bcarr@wagblaw.com](mailto:bcarr@wagblaw.com)>; John Klamann <[jklamann@klamannlaw.com](mailto:jklamann@klamannlaw.com)>; 'Jonathan M. Soper' <[jms@hfmlegal.com](mailto:jms@hfmlegal.com)>; 'Chelsea McClain Pierce' <[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)>; J'Nan Kimak <[jck@hfmlegal.com](mailto:jck@hfmlegal.com)>; [tarri@wagblaw.com](mailto:tarri@wagblaw.com); Muscat, Shawn <[smuscat@paulweiss.com](mailto:smuscat@paulweiss.com)>; Bland, Kelly (SHB) <[KBLAND@shb.com](mailto:KBLAND@shb.com)>

**Subject:** Re: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Amie, Mr. Tieman makes no sense. The AAA doesn't issue awards. Arbitrators issue awards.

The award here is clearly dated November 24, 2020. Mr. Tieman is not allowed to recreate events or tell lies to account for DST's failure to appeal within the timeframe stipulated by the parties. DST wrote the Arbitration Agreement and has compelled and required its strict enforcement. Now, having lost an arbitration and having failed to timely appeal, DST tasks the AAA to breach the parties' agreement on its behalf. You cannot. DST can seek an order compelling arbitration from the District Court of Missouri if it believes that further arbitration proceedings are permitted or required.

Kindly,

**Andy Schermerhorn**

Attorney

The Klamann Law Firm

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(816) 421-2626

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**From:** Tieman, Matthew W <[mtieman@paulweiss.com](mailto:mtieman@paulweiss.com)>

**Sent:** Monday, February 1, 2021 1:59 PM

**To:** AAA Amie Chale <[AmieChale@adr.org](mailto:AmieChale@adr.org)>

**Cc:** Clayton, Lewis R <[lclayton@paulweiss.com](mailto:lclayton@paulweiss.com)>; Carey, Jessica <[jcarey@paulweiss.com](mailto:jcarey@paulweiss.com)>; Recher, Jeffrey J <[jrecher@paulweiss.com](mailto:jrecher@paulweiss.com)>; Kaye, Joshua D <[jkaye@paulweiss.com](mailto:jkaye@paulweiss.com)>; Borod, James H <[jborod@paulweiss.com](mailto:jborod@paulweiss.com)>; Hershman, Sara E <[sershman@paulweiss.com](mailto:sershman@paulweiss.com)>; Young, Spencer E <[syoung@paulweiss.com](mailto:syoung@paulweiss.com)>; Luhring, Alexander L <[aluhring@paulweiss.com](mailto:aluhring@paulweiss.com)>; 'scott.hecht@stinson.com' <[scott.hecht@stinson.com](mailto:scott.hecht@stinson.com)>; 'chris.leopold@stinson.com' <[chris.leopold@stinson.com](mailto:chris.leopold@stinson.com)>; Adams, Rob (SHB) <[RTADAMS@shb.com](mailto:RTADAMS@shb.com)>; Songer, Ann (SHB) <[ASONGER@shb.com](mailto:ASONGER@shb.com)>; Cargnel, Mike (SHB) <[MCARGNEL@shb.com](mailto:MCARGNEL@shb.com)>; Shearer, Rick (SHB) <[RSHEARER@shb.com](mailto:RSHEARER@shb.com)>; cbidwell@shb.com <[cbidwell@shb.com](mailto:cbidwell@shb.com)>; Jeffrey E. Elkins ([jelkins@shb.com](mailto:jelkins@shb.com)) <[jelkins@shb.com](mailto:jelkins@shb.com)>; Van Thournout, Darin J. (SHB) <[dvanthournout@shb.com](mailto:dvanthournout@shb.com)>; Jason Zager ([jzager@shb.com](mailto:jzager@shb.com)) <[jzager@shb.com](mailto:jzager@shb.com)>; 'Ken McClain' <[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)>; Andy Schermerhorn <[ajs@klamannlaw.com](mailto:ajs@klamannlaw.com)>; 'bwhite@wagblaw.com' <[bwhite@wagblaw.com](mailto:bwhite@wagblaw.com)>; 'ted@kapkewillerth.com' <[ted@kapkewillerth.com](mailto:ted@kapkewillerth.com)>; 'Mike Fleming' <[mike@kapkewillerth.com](mailto:mike@kapkewillerth.com)>; 'bcarr@wagblaw.com' <[bcarr@wagblaw.com](mailto:bcarr@wagblaw.com)>; John Klamann <[jklamann@klamannlaw.com](mailto:jklamann@klamannlaw.com)>; 'Jonathan M. Soper' <[jms@hfmlegal.com](mailto:jms@hfmlegal.com)>; 'Chelsea McClain Pierce' <[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)>; J'Nan Kimak <[jck@hfmlegal.com](mailto:jck@hfmlegal.com)>; [tarri@wagblaw.com](mailto:tarri@wagblaw.com) <[tarri@wagblaw.com](mailto:tarri@wagblaw.com)>; Muscat, Shawn <[smuscat@paulweiss.com](mailto:smuscat@paulweiss.com)>; Bland, Kelly (SHB) <[KBLAND@shb.com](mailto:KBLAND@shb.com)>

**Subject:** RE: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Ms. Chale,

Mr. Schermerhorn is incorrect. The award was issued by the AAA on behalf of the arbitrator on December 2, 2020. The award was

not issued or distributed to the parties on November 24, 2020. The AAA case file also confirms that the date of the award is December 2, 2020. The notice of appeal therefore was served by DST in advance of the 60-day period contemplated by the Arbitration Agreement.

In any event, any argument Mr. Schermerhorn might make should be directed to the arbitrator once selected.

Regards,

**Matthew W. Tieman** | Associate

**Paul, Weiss, Rifkind, Wharton & Garrison LLP**

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**From:** Andy Schermerhorn <[ajs@klamannlaw.com](mailto:ajs@klamannlaw.com)>

**Sent:** Friday, January 29, 2021 8:41 PM

**To:** Tieman, Matthew W <[mtieman@paulweiss.com](mailto:mtieman@paulweiss.com)>; AAA Amie Chale <[AmieChale@adr.org](mailto:AmieChale@adr.org)>

**Cc:** Clayton, Lewis R <[lclayton@paulweiss.com](mailto:lclayton@paulweiss.com)>; Carey, Jessica <[jcarey@paulweiss.com](mailto:jcarey@paulweiss.com)>; Recher, Jeffrey J <[jrecher@paulweiss.com](mailto:jrecher@paulweiss.com)>; Kaye, Joshua D <[jkaye@paulweiss.com](mailto:jkaye@paulweiss.com)>; Borod, James H <[jborod@paulweiss.com](mailto:jborod@paulweiss.com)>; Hershman, Sara E <[sershman@paulweiss.com](mailto:sershman@paulweiss.com)>; Young, Spencer E <[syoung@paulweiss.com](mailto:syoung@paulweiss.com)>; Luhring, Alexander L <[aluhring@paulweiss.com](mailto:aluhring@paulweiss.com)>; 'scott.hecht@stinson.com' <[scott.hecht@stinson.com](mailto:scott.hecht@stinson.com)>; 'chris.leopold@stinson.com' <[chris.leopold@stinson.com](mailto:chris.leopold@stinson.com)>; Adams, Rob (SHB) <[RTADAMS@shb.com](mailto:RTADAMS@shb.com)>; Songer, Ann (SHB) <[ASONGER@shb.com](mailto:ASONGER@shb.com)>; Cargnel, Mike (SHB) <[MCARGNEL@shb.com](mailto:MCARGNEL@shb.com)>; Shearer, Rick (SHB) <[RSHEARER@shb.com](mailto:RSHEARER@shb.com)>; cbidwell@shb.com; Jeffrey E. Elkins ([jelkins@shb.com](mailto:jelkins@shb.com)) <[jelkins@shb.com](mailto:jelkins@shb.com)>; Van Thournout, Darin J. (SHB) <[dvanthournout@shb.com](mailto:dvanthournout@shb.com)>; Jason Zager ([jzager@shb.com](mailto:jzager@shb.com)) <[jzager@shb.com](mailto:jzager@shb.com)>; 'Ken McClain' <[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)>; 'bwhite@wagblaw.com' <[bwhite@wagblaw.com](mailto:bwhite@wagblaw.com)>; 'ted@kapkewillerth.com' <[ted@kapkewillerth.com](mailto:ted@kapkewillerth.com)>; 'Mike Fleming' <[mike@kapkewillerth.com](mailto:mike@kapkewillerth.com)>; 'bcarr@wagblaw.com' <[bcarr@wagblaw.com](mailto:bcarr@wagblaw.com)>; John Klamann <[jklamann@klamannlaw.com](mailto:jklamann@klamannlaw.com)>; 'Jonathan M. Soper' <[jms@hfmlegal.com](mailto:jms@hfmlegal.com)>; 'Chelsea McClain Pierce' <[cmp@hfmlegal.com](mailto:cmp@hfmlegal.com)>; J'Nan Kimak <[jck@hfmlegal.com](mailto:jck@hfmlegal.com)>; [tarri@wagblaw.com](mailto:tarri@wagblaw.com); Muscat, Shawn <[smuscat@paulweiss.com](mailto:smuscat@paulweiss.com)>; Bland, Kelly (SHB) <[KBLAND@shb.com](mailto:KBLAND@shb.com)>

**Subject:** Re: Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Ms. Chale,

I am not sure why Mr. Tieman has resubmitted the same request as before, but as I've already stated, you do not have authority to accept DST's Notice of Arbitration Appeal in the matter of *Alice Wright v. DST Systems, Inc.*, AAA Case No. 01-19-0001-9073. The deadline for filing an appeal has already run. The Decision was issued on **November 24, 2020**. The Decision date is clearly and unmistakably identified in the Decision.

The Arbitration Agreement clearly states that notice of an appeal must be filed within 60 days of the decision. The deadline for filing an appeal in the *Wright* matter was Saturday, January 23, 2021. DST has always insisted on a strict reading of the Agreement. Here, the Agreement forbids their late and untimely "Notice of Arbitration Appeal."

Sincerely,

**Andy Schermerhorn**

Attorney

The Klamann Law Firm

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---

**From:** Tieman, Matthew W <[mtieman@paulweiss.com](mailto:mtieman@paulweiss.com)>

**Sent:** Friday, January 29, 2021 7:21 PM

**To:** AAA Amie Chale <[AmieChale@adr.org](mailto:AmieChale@adr.org)>

**Cc:** Clayton, Lewis R <[lclayton@paulweiss.com](mailto:lclayton@paulweiss.com)>; Carey, Jessica <[jcarey@paulweiss.com](mailto:jcarey@paulweiss.com)>; Recher, Jeffrey J <[jrecher@paulweiss.com](mailto:jrecher@paulweiss.com)>; Kaye, Joshua D <[jkaye@paulweiss.com](mailto:jkaye@paulweiss.com)>; Borod, James H <[jborod@paulweiss.com](mailto:jborod@paulweiss.com)>; Hershman, Sara E <[sershman@paulweiss.com](mailto:sershman@paulweiss.com)>; Young, Spencer E <[syoung@paulweiss.com](mailto:syoung@paulweiss.com)>; Luhring, Alexander L <[aluhring@paulweiss.com](mailto:aluhring@paulweiss.com)>; 'scott.hecht@stinson.com' <[scott.hecht@stinson.com](mailto:scott.hecht@stinson.com)>; 'chris.leopold@stinson.com' <[chris.leopold@stinson.com](mailto:chris.leopold@stinson.com)>; Adams, Rob (SHB) <[RTADAMS@shb.com](mailto:RTADAMS@shb.com)>; Songer, Ann (SHB) <[ASONGER@shb.com](mailto:ASONGER@shb.com)>; Cargnel, Mike (SHB) <[MCARGNEL@shb.com](mailto:MCARGNEL@shb.com)>; Shearer, Rick (SHB) <[RSHEARER@shb.com](mailto:RSHEARER@shb.com)>; cbidwell@shb.com <[cbidwell@shb.com](mailto:cbidwell@shb.com)>; Jeffrey E. Elkins ([jelkins@shb.com](mailto:jelkins@shb.com)) <[jelkins@shb.com](mailto:jelkins@shb.com)>; Van Thournout, Darin J. (SHB) <[dvanthournout@shb.com](mailto:dvanthournout@shb.com)>; Jason Zager ([jzager@shb.com](mailto:jzager@shb.com)) <[jzager@shb.com](mailto:jzager@shb.com)>; Andy Schermerhorn <[ajs@klamannlaw.com](mailto:ajs@klamannlaw.com)>; 'Ken McClain' <[kbm@hfmlegal.com](mailto:kbm@hfmlegal.com)>; 'bwhite@wagblaw.com' <[bwhite@wagblaw.com](mailto:bwhite@wagblaw.com)>; 'ted@kapkewillerth.com' <[ted@kapkewillerth.com](mailto:ted@kapkewillerth.com)>; 'Mike Fleming' <[mike@kapkewillerth.com](mailto:mike@kapkewillerth.com)>; 'bcarr@wagblaw.com' <[bcarr@wagblaw.com](mailto:bcarr@wagblaw.com)>; John Klamann <[jklamann@klamannlaw.com](mailto:jklamann@klamannlaw.com)>; 'Jonathan M. Soper'

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<[tarri@wagblaw.com](mailto:tarri@wagblaw.com)>; Muscat, Shawn <[smuscat@paulweiss.com](mailto:smuscat@paulweiss.com)>; Bland, Kelly (SHB) <[KBLAND@shb.com](mailto:KBLAND@shb.com)>  
**Subject:** Alice Wright v. DST Systems, Inc. (AAA Case No. 01-19-0001-9073); Notice of Arbitration Appeal

Ms. Chale,

In accordance with the parties' arbitration agreement, attached please find DST's Notice of Arbitration Appeal in the matter of *Alice Wright v. DST Systems, Inc.*, AAA Case No. 01-19-0001-9073.

Regards,

**Matthew W. Tieman** | Associate

**Paul, Weiss, Rifkind, Wharton & Garrison LLP**

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